

# ***Exhibit "5"***

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

ROBERT SOKOLOVE, DAVID MCCARTHY, )  
WILLIAM SHIELDS, and CITIZENS FOR )  
REHOBOTH BEACH, a political action committee,) )

Plaintiffs, )

v. )

Case No. )

CITY OF REHOBOTH BEACH, DELAWARE, )  
and GREGORY FERRESE, individually and as )  
Manager of the City of Rehoboth Beach, Delaware, )

Defendants. )

**TEMPORARY RESTRAINING ORDER**

The Court having considered plaintiffs Motion For Temporary Restraining Order and any objections and responses thereto, and finding that (i) plaintiffs have established a reasonable likelihood of success on the merits; (ii) plaintiffs will suffer irreparable harm if temporary injunctive relief is not entered; (iii) defendants will suffer no irreparable harm if injunctive relief is granted; and (iv) the interest of the public weigh in favor of granting the requested relief;

IT IS HEREBY ORDERED, this \_\_\_\_\_ day of July, 2005, that plaintiffs' Motion For Temporary Restraining Order is granted and defendants are temporarily enjoined from engaging in any of the following actions until \_\_\_\_\_:

(a) moving or removing or directing anyone else to move or remove any campaign sign from any private property located within the City of Rehoboth, Delaware; and

(b) moving or removing or directing anyone else to move or remove any campaign sign from any public rights-of-way located within the City of Rehoboth, Delaware.

Plaintiffs must post a bond in the amount of \_\_\_\_\_.

A hearing on plaintiffs' Motion for Preliminary Injunction is scheduled for \_\_\_\_\_, 2005. Defendants shall answer the verified complaint on or before \_\_\_\_\_, 2005. Discovery shall proceed on an expedited basis in anticipation of the preliminary injunction hearing with parties responding to written discovery requests with three calendar days and producing witnesses for deposition on 2 calendar days notice.

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United States District Court Judge